

Airwave Wireless, L.L.C
120 East First Street / P.O. Box 48
Kimball, SD 57355

November 11, 2005

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 – 12th Street, S.W.
Washington, D.C. 20554

Re: WT Docket No. 01-309
HAC Digital Wireless Telephones

Fourth Semi-Annual Report

Dear Ms. Dortch:

Airwave Wireless L.L.C. (“Airwave”) is the licensee of Station WPOJ826 (C-Block – Huron, South Dakota BTA) and Station WPOJ827 (C-Block – Mitchell, South Dakota BTA) in the broadband Personal Communications Service.¹ This report is submitted pursuant to the requirements of Paragraph Nos. 89 – 91 of the Commission’s *Report and Order* (WT Docket No. 01-309), FCC 03-168, released August 14, 2003 (“*R&O*”).

By way of background, Airwave is a small, Tier III Commercial Mobile Radio Service licensee, as defined in the Commission’s E-911 *Order to Stay*, FCC 02-210, released July 26, 2002. The Company has configured its broadband PCS system in the Huron BTA to provide a fixed and/or low mobility voice and data service using a UTStarcom PASTM wireless access platform. Because Airwave offers two or fewer digital wireless handsets in the U.S. (the UTS702p and UTS708j models, both of which have been discontinued), it qualifies for the *de minimis* exception to the Hearing Aid Compatibility (“HAC”) rules, described in Rule Section 20.19 (e)(1).

Because the handset models offered by Airwave, as well as other digital handsets manufactured for the UTStarcom PASTM system, operate at a power level that is much lower than most other digital wireless handsets (*i.e.* only 10 mW average transmit power), UTStarcom believes that this should reduce the likelihood of RF interference. Any likelihood of interference should be further reduced if a customer utilizes a neck loop or a headset. Moreover, to the extent that customers utilize UTStarcom fixed wireless equipment at their premises, they are able to utilize traditional analog telephones

¹ Airwave has a request for extension of the five-year construction requirement that is currently pending for the Mitchell BTA. See FCC File No. 0001766623 (*filed* June 18, 2004).

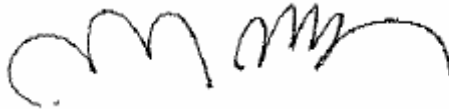
and other devices which do not do not generally cause interference problems for hearing aid users.²

While Airwave is currently exempt from the Commission's HAC rules, it has already undertaken outreach efforts through the preparation of a detailed Hearing Aid Compatibility Information Sheet that will make available to customers that use hearing aids and others who have questions on the subject. This Information Sheet will also serve to educate Airwave's employees and retail sales force about HAC-related issues and potential solutions.

Should you have any questions, please contact John Prendergast or Cary Mitchell of the law firm of Blooston, Mordkofsky, Dickens, Duffy & Prendergast. Either may be reached by calling (202) 659-0830.

Respectfully submitted,

AIRWAVE WIRELESS, L.L.C.

A handwritten signature in black ink, appearing to read 'Mark Benton', with a stylized, cursive script.

Mark Benton

² See *R&O* at para. 6 (*citing* ANSI ASC C63 SC8 Comments at 10).